United Nations CEDAW/C/ETH/Q/8

Convention on the Elimination of All Forms of Discrimination against Women

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Committee on the Elimination of Discrimination against Women
Seventy-second session
18 February–8 March 2019
Item 4 of the provisional agenda
Consideration of reports submitted by States parties under article 18 of the Convention on the Elimination of All Forms of Discrimination against Women

List of issues and questions in relation to the eighth periodic report of Ethiopia

General

1. Please provide information on measures taken to raise awareness of women's rights under the Convention among women, members of the executive and of the judiciary, including customary courts and the Islamic Court, at the federal, regional and local levels and law enforcement officers in the State party (CEDAW/C/ETH/CO/6-7, para. 13).

Data collection

2. Please inform the Committee about measures taken to produce statistical data, disaggregated by gender, in all areas of the Convention, with a view to fully understanding the impact of legal and policy measures aimed at addressing gender-based discrimination in the State party.

Constitutional, legislative and institutional framework

3. Please provide information on provisions prohibiting direct and indirect discrimination in the public and private spheres and intersecting forms of discrimination in line with articles 1 and 2 (b) of the Convention, on the legal framework in place providing for the use of temporary special measures in line with article 4 (1) of the Convention, and on plans to revise discriminatory provisions of the Criminal Code, including articles 629 and 630 thereof, in which lesbian and bisexual women are criminalized.

4. The State party has identified the limited expertise in gender mainstreaming among sectors and stakeholders, including non-governmental stakeholders, as a

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barrier to the coordination of the implementation of gender mainstreaming (para. 30).[1] Please indicate the measures taken to overcome that barrier and other identified barriers preventing the Ministry of Women and Children Affairs from efficiently coordinating gender mainstreaming horizontally and vertically. Please also provide a timeline for the adoption of the national women development and change strategy and the national action plan on business and human rights, and provide information on the entity or entities tasked with, and the human and financial resources allocated for, their implementation. Please also describe the mechanism for monitoring gender-sensitive budgeting vertically and horizontally (para. 31) and the allocation of human and financial resources for the implementation of the targets on the empowerment of women and gender equality within the growth and transformation plan.

Access to justice and legal complaint mechanism

5. Please inform the Committee about legal provisions for the reduction or waiver of court fees for women with insufficient financial means and on programmes to raise awareness among women of the availability of those services. Please provide information on cases in which women have been provided with gender-sensitive legal aid and indicate a timeline for the adoption of the legal aid strategy, which has been under development since 2015 and is currently under consultation (paras. 21 and 130). Please also explain the procedure by which both parties to a legal dispute give their consent to the application of customary resolution mechanisms and provide information on cases in which the courts assumed jurisdiction over decisions of customary institutions (para. 139) and on the number and outcome of cases before the courts in which the Convention has been invoked.

National human rights institution

6. Please inform the Committee about measures taken to provide the Ethiopian Human Rights Commission with the legal authority to monitor and investigate human rights violations in the State party and those taken to provide the Commission with the human and financial resources necessary to allow it to discharge its mandate efficiently, independently and in full compliance with the principles relating to the status of national institutions for the promotion and protection of human rights (Paris Principles). Please also indicate measures taken to raise awareness among women of the existence of that mechanism and provide information on the number of complaints submitted by women to the Commission during the reporting period, the types of alleged violations and the outcome of the complaints.

Civil society and non-governmental organizations

7. Please provide details on the legal and policy measures, referred to in paragraph 65 of the State party's report, which encourage women to form associations, trade unions, professional associations and other unions. Please also provide information on plans to review and revise the 2009 Anti-terrorism Proclamation and the Charities and Societies Proclamation, with a view to enhancing the ability of women human rights defenders, bloggers and journalists to conduct research and advocacy activities in support of policy development and building the capacity of civil society organizations to provide legal aid, functional helplines and health and educational services for women who are survivors of violence. Please also provide information on measures taken to lift funding restrictions on non-governmental organizations that work on women's rights (CEDAW/C/ETH/CO/6-7, para. 29 (b)), as well as those taken to unblock the assets of the Ethiopian Women Lawyers Association and to

[1] Unless otherwise indicated, paragraph numbers refer to the eighth periodic report of the State party (CEDAW/C/ETH/8).

ensure that decisions of the Civil Society Agency are subject to judicial review (CEDAW/C/ETH/CO/6-7, para. 29 (c)).

Discriminatory gender stereotypes and harmful practices

8. In the light of the Committee's previous recommendations (CEDAW/C/CO/ETH/6-7, para. 21 (a)), please provide information on measures taken to increase the penalties for female genital mutilation and, if an assessment was conducted, on the achievements of the national strategy on harmful traditional practices and of the accompanying action plan on addressing female genital mutilation, child marriage and abduction since their adoption in 2013 (CEDAW/C/ETH/CO/6-7, para. 19 (d)). Please also provide information on cases of early and forced marriage, female genital mutilation and abduction of girls for marriage that have been brought before the courts, and on the outcomes of those cases. Please also describe measures taken to raise awareness of, prevent and eradicate polygamy and the practice of so-called "corrective rape", to which lesbian and bisexual women reportedly fall victim.

Gender-based violence against women

9. Please inform the Committee about measures taken to criminalize marital rape, to exclude the applicability of extenuating circumstances in cases on domestic violence and to encourage women and girls to report acts of violence (CEDAW/C/CO/ETH/6-7, para. 21 (a) and (d)). Please also provide information on plans to adopt a comprehensive law on gender-based violence against women which includes provisions on domestic violence and sexual harassment and allows for the issuance of restraining orders. Please also indicate the achievements of the strategic plan for an integrated and multisectoral response to violence against women since its adoption in 2011, and on actions taken to address emerging forms of violence against women, such as acid attacks and gang rape.

10. In the light of the Committee's previous recommendations (CEDAW/C/ETH/CO/6-7, para. 23 (a)–(c)), please provide information on measures taken to investigate, prosecute and adequately punish members of the Ethiopian National Defence Forces and of private militia groups who are responsible for excessive use of force, ill-treatment, rape, torture and other crimes committed against women and girls in the context of protests, resettlement and armed conflict in the Oromiya, Amhara and Gambela regions both during and prior to the reporting period. Please also provide information on steps taken to compensate and rehabilitate the victims, prevent the recurrence of such crimes and facilitate humanitarian access for international organizations and non-governmental organizations to areas where women and girls are affected by armed conflict, in line with the Committee's general recommendation No. 30 (2013) on women in conflict prevention, conflict and post-conflict situations and general recommendation No. 35 (2017) on gender-based violence against women, updating general recommendation No. 19.

Trafficking and exploitation of prostitution

11. Please inform the Committee about the legal framework applicable to the trafficking of Ethiopian women within the country and abroad, and provide details on the provisions of the Proclamation for the Prevention and Suppression of Trafficking in Persons and Smuggling of Migrants that are under revision and on plans to separate the crime of smuggling from that of trafficking. Please also provide information on measures taken to prevent and eradicate internal trafficking and on the suspension of licences of labour recruitment agencies or employers for labour law violations, and explain whether the fund established for the prevention and the rehabilitation of victims (para. 50) is used to contribute to services provided by non-governmental

organizations for victims of trafficking. Please also describe measures taken to collect data on internal and external trafficking, which are disaggregated by sex, ethnic group, region and age (CEDAW/C/ETH/CO/6-7, para. 25 (e)).

12. Please inform the Committee about the prevalence of prostitution in the State party and on measures adopted to prevent the sexual exploitation of women and girls, with a special focus on internally displaced and rural women and girls. Please also provide information on measures envisaged or in place to support women who wish to leave prostitution and to reduce demand for prostitution. Please also describe the legal framework applied to women in prostitution and provide information on the number of reported cases of exploitation of prostitution and on investigations, prosecutions, convictions and imposed penalties.

Participation in political and public life

13. Please provide information on awareness-raising among State officials with regard to the importance of the participation of women in the different branches of government, on temporary special measures that are mandatory and on such measures that are applicable to appointed positions at all levels of government (CEDAW/C/ETH/CO/6-7, para. 27 (a)). Please provide further information on the measures taken to develop the capacities of women in leadership positions (para. 66), including women in the legislative branch and in the judiciary. Please also indicate whether the reasons for regional disparities in the participation of women in the legislative branch (para. 62) have been analysed and on the measures taken on the basis of such analysis.

Nationality

14. Please inform the Committee about the status of implementation of the Vital Events and National Identity Card Proclamation and on efforts made to prevent and punish fraud relating to identity documents as a means of preventing early and forced marriages.

Education

15. In the light of the Committee's previous recommendations (CEDAW/C/ETH/CO/6-7, para. 31 (a) and (c)), please provide information on measures taken to make primary education compulsory, improve the quality of education, increase the number of girl-friendly schools and schools with separate latrines for boys and girls and investigate and adequately punish the abuse of women and girls by other students or teachers. Please also describe planned measures to enhance the survival rate of girls in grade 5 and the completion rate of girls in grade 8 and provide information on the support provided for adolescent mothers to facilitate their return to education and on measures taken to increase the proportion of women teachers, including through the girls' education and gender equality strategy (para. 84). Please also provide details on the tailored support provided to women through the non-formal education programme that accounts for their needs and family responsibilities (para. 85) and provide data disaggregated by region, as well as by urban and rural environment, on the participation of women in that programme, including refugee women and girls.

Employment

16. Please provide information on measures taken to promote access for women, especially young women, to full-time and permanent employment with adequate social benefits and to encourage the equal sharing of responsibilities by both parents in relation to housework and childcare, including in the private sector. Please also

provide information on measures taken to guarantee that women working in the private sector have access to maternity leave, to address the gender pay gap in the private sector (para. 88) and to prevent and punish sexual harassment in the workplace, and provide information on the availability and affordability of childcare facilities (para. 91). Please also inform the Committee of the time frames envisaged for the adoption of the regulation on the employment of domestic workers (para. 168) and for the ratification of the Domestic Workers Convention, 2011 (No. 189) of the International Labour Organization.

Health

17. In view of the State party's efforts to conduct a trial of community-based health insurance and social health insurance, please indicate measures taken to ensure the accessibility of health-care and family planning services for all women and girls in all regions, including unemployed women and women working in the informal and private sectors. In the light of the Committee's previous recommendation (CEDAW/C/ETH/CO/6-7, para. 35 (e)), please provide information on the outcomes of the national adolescent and youth reproductive health strategy, 2007–2015, including with regard to the provision of age-appropriate and gender-sensitive sexual and reproductive health-care services and the promotion of access to contraception for teenage girls. Please also describe measures taken to strengthen the allocation of financial resources to the Health Extension Programme, which is the primary health-care service delivery mechanism at the community level, and to eliminate discrimination against those affected by leprosy and their family members.

Rural women

18. Please indicate a timeline for the effective revision of legal provisions on land ownership (paras. 113 and 172) and provide information on support granted to women's development groups (para. 28) and on the impact of the work of those groups on the economic empowerment of women in rural environments. Please also describe measures taken to ensure the full participation of rural women in the formulation and implementation of policies and programmes affecting them. Please provide information on measures taken to ensure that women living in rural areas have access to safe drinking water, sanitation facilities and health and educational services.

Disaster risk reduction

19. Please inform the Committee about measures taken to analyse the gendered impact of the 2016 and 2017 droughts and provide details on the measures taken to support single women, young women, married women and female heads of household under the Food Security Programme (paras. 119–120). Please also indicate whether a gender perspective has been integrated into the framework on disaster risk reduction, and report on specific measures taken following the heavy rainfalls and flash floods in the Sumale and Oromiya regions in April 2018.

Women asylum seekers, refugees and internally displaced women

20. Please provide information on measures taken to guarantee that asylum-seeking, refugee and internally displaced women and girls have access to health-care, educational and legal services, as well as to support services if they are or become victims of violence. Please also indicate whether efforts have been made to establish a formal mechanism for identifying persons in need of international protection, including among Stateless women and women who are victims of trafficking, and provide information on training and guidelines for law enforcement officials and border guards on the gender-sensitive treatment of refugee and asylum-seeking

women and girls at all stages of the asylum procedure. Please also provide information on measures taken to provide internally displaced women and girls with identity documents and to prevent the detention and prosecution of women refugees who attempt to return to Eritrea.

21. In the light of the number of internally displaced and Stateless women in the State party, please provide information on the planned steps to ratify the African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa and on plans for the ratification of the Convention relating to the Status of Stateless Persons and the Convention on the Reduction of Statelessness.

Women in detention

22. Please provide information on the number of women in detention and on measures taken to release women detained for expressing their political views. Please also provide information on measures taken to ensure that women are protected from sexual and gender-based violence in all places of detention and to prevent acts of ill-treatment and torture of women. Please also inform the Committee about measures taken to provide the Ethiopian Human Rights Commission with the legal authority to monitor and inspect all places of deprivation of liberty.

Equality in marriage and family relations

23. Please provide information on the provisions of the regional family laws that remain inconsistent with the 2013 revision of the Federal Family Code or with the Convention (CEDAW/C/CO/ETH/6-7, para. 15) and provide a timeline for rectifying such inconsistencies, in order to ensure that they are repealed.